

1 ALLEN RUBY (SBN 47109)  
2 RAOUL D. KENNEDY (SBN 40892)  
3 JAMES P. SCHAEFER (SBN 250417)  
4 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP  
5 525 University Avenue, Suite 1400  
6 Palo Alto, CA 94301  
7 Telephone: (650) 470-4500  
8 Facsimile: (650) 470-4570  
9 allen.ruby@skadden.com  
10 raoul.kennedy@skadden.com  
11 james.schaefer@skadden.com

12 Attorneys for Plaintiff  
13 INTUITIVE SURGICAL, INC.

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 INTUITIVE SURGICAL, INC.,

18 Plaintiff,

19 v.

20 ILLINOIS UNION INSURANCE  
21 COMPANY, an Illinois corporation;  
22 NAVIGATORS SPECIALTY INSURANCE  
23 CO., a New York corporation,

24 Defendants.

CASE NO.: 3:15-cv-4834-JST

**JOINT STIPULATION TO EXTEND  
TIME TO FILE OPPOSITION AND  
REPLY BRIEFS (DEFENDANT  
ILLINOIS UNION INSURANCE  
COMPANY'S MOTION TO DISMISS  
COMPLAINT); and**

**~~[PROPOSED]~~ ORDER.**

Hearing Date: February 11, 2016  
Time: 2:00 p.m.  
Courtroom: 9, 19<sup>th</sup> Floor  
Judge: Hon. Jon S. Tigar

Plaintiff Intuitive Surgical, Inc. (“Intuitive”) and Defendant Illinois Union Insurance Company (“Illinois Union”) jointly stipulate, pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12, to extend the time to file any opposition and reply briefs regarding Illinois Union’s Motion to Dismiss Complaint (Dkt. 16) (the “Motion to Dismiss”).

WHEREAS, on December 21, 2015, Illinois Union filed its Motion to Dismiss and set the motion for hearing on February 11, 2016;

WHEREAS, as currently scheduled, Intuitive’s opposition to Illinois Union’s Motion to Dismiss would be due January 4, 2016 and Illinois Union’s reply would be due January 11, 2016;

WHEREAS, given the pending holidays, Intuitive requested a one-week extension to respond to Illinois Union’s Motion to Dismiss, to which Illinois Union agreed;

Now therefore, the parties, through the undersigned counsel, hereby stipulate as follows:

- that the deadline for filing any opposition to Illinois Union’s Motion to Dismiss be extended to January 11, 2016; and
- that the deadline for filing any reply in support of Illinois Union’s Motion to Dismiss be extended to January 25, 2016.

DATED: December 22, 2015

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: /s/ James Schaefer  
Attorneys for Plaintiff  
INTUITIVE SURGICAL, INC.

COZEN O’CONNOR

By: /s/ Charles Wheeler  
Attorneys for Defendant  
ILLINOIS UNION INSURANCE COMPANY

Pursuant to Civil Local Rule 5-1(i), the filer attests that concurrence in the filing of this document has been obtained from the signatories above.

/s/ James P. Schaefer

**[PROPOSED] ORDER**

**PURSUANT TO THE FOREGOING STIPULATION OF THE PARTIES, IT IS  
ORDERED THAT:**

1. the deadline for filing any opposition to Illinois Union's Motion to Dismiss be extended to January 11, 2016; and
2. the deadline for filing any reply in support of Illinois Union's Motion to Dismiss be extended to January 25, 2016.

**IT IS SO ORDERED.**

DATED: December 23, 2015

